

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

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## Chapter 7

**TRUSTEE'S APPLICATION TO EMPLOY SPECIAL COUNSEL,  
JULIE RHOADES AND MATTHEWS & ASSOCIATES,  
NUNC PRO TUNC PURSUANT TO E.D. TENN. LBR 2014-1**

**Notice is hereby given:**

Pursuant to E.D. Tenn. LBR 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this paper, you must file with the clerk of the court at United States Bankruptcy Court, 800 Market Street, Suite 330, Knoxville, Tennessee 37902, an objection within 21 days from the date this paper was filed and serve a copy on the movant, John P. Newton, Jr., South Tower, Suite S-570, 1111 Northshore Drive, Knoxville, Tennessee 37919. If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of the relief requested in this paper and may grant the relief requested without further notice or hearing.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

The Application of John P. Newton, Jr. respectfully alleges:

1. That John P. Newton, Jr. is the Trustee in this case.
2. The Trustee requires legal counsel to assist in the resolution of the Debtor's (John Eastman's) ongoing product liability claim against Rex Medical LLP, et al.
3. Presently, four separate firms are handling the claim on the Debtor's behalf: 1.) Julie Rhoades and Matthews & Associates, 2.) Kevin Edwards and Freese & Goss PLLC, 3.) Rosemary Pinto and Feldman & Pinto, and 4.) Matthew Daniel and Ferrer Poirot, Wansbrough,

Feller, Daniel, Abney & Linville (hereafter "Ferrer Poirot").

4. That Julie Rhoades and Matthews & Associates be authorized to act as Counsel for the Trustee because of their knowledge in this field and experience in the current proceeding. Applicant feels that said attorney/firm is well qualified to render the foregoing services.

5. The Court has the power to authorize said employment pursuant to 11 U.S.C. Section 327(e).

6. The parties referenced in paragraph #3 are sharing compensation in the following manner:

The four firms will charge a 40% contingency fee plus out-of-pocket expenses. From that percentage, 22.5% will go to Matthews & Associates, 22.5% to Freese & Goss PLLC, 10% to Feldman & Pinto and 45% to Ferrer & Poirot.

WHEREFORE, the Trustee prays that Julie Rhoades and Matthews & Associates be authorized to act as Counsel for the estate, *nunc pro tunc* to the bankruptcy petition date pursuant to E.D. Tenn. LBR 2014-1, with compensation for such legal services to be paid as an administrative expense in such amounts as this Court may hereafter determine and allow.

Dated this 25<sup>th</sup> day of January, 2018.

/s/ John P. Newton, Jr.  
John P. Newton, Jr., Trustee  
Law Office of Mayer & Newton  
1111 Northshore Drive, Suite S-570  
Knoxville, TN 37919

**CERTIFICATE OF SERVICE**

I, John P. Newton, Jr., hereby certify that a true and correct copy of the foregoing Trustee's Application to Employ Special Counsel and Proposed Order has been served on all creditors/parties in interest as follows either by Electronic Case Filing (ECF), Email and/or United States Mail (postage prepaid) this the 25<sup>th</sup> day of January, 2018.

Tiffany DiIorio (EMAIL)  
Attorney for U.S. Trustee

Cynthia Lawson, Esq. (ECF)  
Attorney for Debtors

/s/ John P. Newton, Jr.  
John P. Newton, Jr., Trustee

INTERNAL REVENUE SERVICE CENTRALIZED INSOLVENCY PO BOX 7346 PHILADELPHIA, PA 19101-7346	AFNI Agent for unknown P O Box 3517 Bloomington, IL 61702-3517	Account Resolution Tea 221 E Main St Ste 201 Morristown, TN 37814-4730
Advance Financial 5527 Clinton Hwy Knoxville, TN 37912-3475	Beatrice Suttles P.O. Box 106 Speedwell, TN 37870-0106	Capstone Finance 2035 N. Broadway Street Knoxville, TN 37917-5808
Cash Express LLC 502 Clinch Ave Clinton, TN 37716-4228	Cash Time 916 N. Charles Seivers Blvd Clinton, TN 37716-3816	Cbc Llc 10368 Wallace Alley St S Kingsport, TN 37663-3977
Check into Cash 5632 Clinton Hwy Knoxville, TN 37912-3455	Chex Systems Consumer Relations 7805 Hudson Rd Ste 100 Woodbury, MN 55125-1595	Covington Credit 1115 N Charles G Seivers Blvd Clinton, TN 37716-3953
Credit Collection Services Agent for Comcast 725 Canton Street Norwood, MA 02062-2679	Credit Control Service Po Box 607 Norwood, MA 02062-0607	Creditplus 2810 Schaad Road Knoxville, TN 37921-7414
Dbas Paragon Revenue Gr Po Box 126 Concord, NC 28026-0126	Equifax Information Services P O Box 740241 Atlanta, GA 30374-0241	Experian P O Box 2002 Allen, TX 75013-2002
Fed Loan Serv Po Box 60610 Harrisburg, PA 17106-0610	Financial Accounts Services Agent for Vascular Diagnostic P.O. Box 11567 Knoxville, TN 37939-1567	First Sun Financial 3551 N. Broadway Knoxville, TN 37917-3117
HCFS Healthcare Financial Alcoa Billing Center 3429 Regal Drive Alcoa, TN 37701-3265	JEFFERSON CAPITAL SYSTEMS LLC PO BOX 7999 SAINT CLOUD, MN 56302-7999	LCA Collections Agent for Labcorp/family PO Box 2240 Burlington, NC 27216-2240
Methodist Medical Center of Knoxville Business Offices 1420 Centerpoint Blvd, Knoxville, TN 37932-1960	Neighborhood Urgent Care P. O. Box 786 Jacksboro, TN 37757-0786	Nelnet Lns Po Box 1649 Denver, CO 80201-1649
North Amercn 2810 Walker Rd Chattanooga, TN 37421-1082	Optima Recovery Servic 6215 Kingston Pk Ste A Knoxville, TN 37919-4044	PORTFOLIO RECOVERY ASSOCIATES PO BOX 41067 NORFOLK, VA 23541-1067

Radiology Imaging Associates  
601 Dodds Ave.  
Chattanooga, TN 37404-3911

Regional Finance - Knoxville  
7118 Maynardville Hwy.  
Knoxville, TN 37918-5738

Trans Union  
P O Box 2000  
Chester, PA 19016-2000

Vascular Diagnostic Center of  
988 Oak Ridge Turnpike  
Suite L40  
Oak Ridge, TN 37830-6940

Wakefield & Associates  
Po Box 50250  
Knoxville, TN 37950-0250

Wfds-Wells Fargo Dealer  
Po Box 1697  
Winterville, NC 28590-1697

World Finance Corporat  
108 Frederick St  
Greenville, SC 29607-2532

methodist medical center of  
P.O. Box 11192  
Knoxville, TN 37939-1192

John & Vela Eastman  
P.O. Box 866  
Clinton, TN 37717-0866

Rosemary Pinto, Esq.  
Feldman & Pinto  
6706 Springbank St.  
Philadelphia, PA 19119

Kevin Edwards, Esq.  
Freese & Goss PLLC  
3500 Maple Ave. #1100  
Dallas, TX 75219

Matthew Daniel, Esq.  
Ferrer, Poirot, Wansbrough,  
2603 Oak Lawn, #300  
Dallas, TX 75219

Julie L. Rhoades, Esq.  
Matthews & Associates  
2905 Sackett St.  
Houston, TX 77007